

12

Applicant(s): Carlucci et al.
Serial No.: 10/811,322
Filed: March 26, 2004
For: A DISPENSING APPARATUS FOR RECEIVING A
NUMBER OF DIFFERENTLY SIZED FOAM CANNISTERS
Art Unit: 3754
Examiner: Not yet assigned
Confirmation No.: 9464
Customer No.: 27623

Attorney Docket No.: 884.0221USU

Date: December 16, 2004

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with applicants' duty of disclosure under 37 C.F.R. §1.56, we are enclosing form PTO-1449 listing information that may be material to the patentability of this application.

Cited in the attached PTO-1449 are:

U.S. Patent Nos. 3,207,369; 3,358,885; 3,518,410; 3,559,850; 3,576,279;
3,578,945; 3,593,894; 3,596,056; 3,644,707; 3,710,978; 3,710,985; 3,712,512;
3,722,753; 3,733,460; 3,749,880; 3,752,155; 3,758,002; 3,790,033; 3,804,537;
3,823,851; 3,843,022; 3,846,614; 3,891,827; 3,896,973; 3,914,576; 3,917,121;

3,933,276; 3,990,612; 3,997,083; 4,000,834; 4,024,987; 4,027,786; 4,046,289;
4,056,707; 4,067,480; 4,069,949; 4,094,446; 4,140,247; 4,349,131; 4,544,085;
4,595,131; 4,624,395; 4,968,166; 4,971,229; 4,974,319; 5,289,951; 5,513,771;
5,524,792; 5,320,250; 5,590,582; 5,700,991; 5,747,102; 5,780,819; 5,786,573;
5,803,317; 5,811,766; 5,832,178; 5,913,455; 5,950,867; 5,979,796; 6,003,733;
6,016,935; 6,056,160; 6,098,524; 6,179,162; 6,204,485; 6,253,957; 6,311,868;
6,361,752; and 6,415,957.

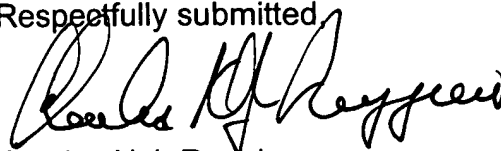
Pursuant to the waiving of the requirement of 37 CFR 1.98 (a)(2)(i), copies of these U.S. references are not enclosed.

It should be understood that attention has been called to the citations that have been deemed to be pertinent to the claimed present invention. In concluding what was pertinent, the criteria employed was considered most appropriate in light of the invention shown in the present application. However, the Examiner or others may deem some other criteria to be just as appropriate or more appropriate. Therefore, the Examiner is respectfully urged to review the listed citations and to make the usual careful independent search for other prior art that may be pertinent.

Since this Information Disclosure Statement is being filed prior to the issuance of the first Office Action based on the merits, no petition or fee is required.

Applicants respectfully request favorable consideration and that this application be passed to allowance.

Respectfully submitted,



Charles N.J. Ruggiero

Reg. No. 28,468

Attorney for Applicant(s)

Ohlandt, Greeley, Ruggiero & Perle, L.L.P.

One Landmark Square, 10th Floor

Stamford, CT 06901-2682

(203) 327-4500



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT TRANSMITTAL FORM

Applicant: Carlucci et al.
Serial No.: 10/811,322
Filed: March 26, 2004
For: A DISPENSING APPARATUS FOR RECEIVING A NUMBER OF
DIFFERENTLY SIZED FOAM CANNISTERS
Art Unit: 3754
Examiner: Not yet assigned
Confirmation No.: 9464
Customer No.: 27623 Attorney Docket No.: 884.0221USU

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

We are enclosing:

1. Information Disclosure Statement;
2. PTO Form 1449;
3. Transmittal letter in duplicate; and
4. Postcard.

Please charge any additional fees or credit any such fees, if necessary to Deposit Account No. 50-1239 in the name of Conair Corporation. A duplicate copy of this sheet is attached.

Respectfully submitted,

Date: December 17, 2004

Charles N.J. Ruggiero
Reg. No. 28,468
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
One Landmark Square, 10th Floor
Stamford, Connecticut 06901-2682
(203) 327-4500

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON DECEMBER 17, 2004.

Keysha Whitaker
NAME

Keysha Whitaker 12/17/04
SIGNATURE DATE

CUSTOMER NO.: 27623

DEC 20 2004

Sheet 1 of 7

FORM PTO-1449

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number (Optional)

884.0221USU

Application Number

10/811,322

Applicant

Carlucci et al.

Filing Date

March 26, 2004

Group Art Unit

3754

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	3,207,369	Sept. 21, 1965	Rossi			
	3,358,885	Dec. 19, 1967	Flowers			
	3,518,410	Jun. 30, 1970	Dillarstone			
	3,559,850	Feb. 2, 1971	Barkin et al.			
	3,576,279	Apr. 27, 1971	Ayres et al.			
	3,578,945	May 18, 1971	Ayres et al.			
	3,593,894	Jul 20, 1971	Kehoe et al.			
	3,596,056	Jul. 27, 1971	Dillarstone			
	3,644,707	Feb. 22, 1972	Costello			
	3,710,978	Jan. 16, 1973	Cosby			
	3,710,985	Jan. 16, 1973	Baum			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

DEC 20 2004

Sheet 2 of 7.

3754

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	3,712,512	Jan. 23, 1973	Snider, Jr. et al			
	3,722,753	Mar. 27, 1973	Miles			
	3,733,460	May 15, 1973	Ryckman Jr.			
	3,749,880	Jul. 31, 1973	Meeks			
	3,752,155	Aug. 14, 1973	Blinoff, Jr. et al			
	3,758,002	Sept. 11, 1973	Doyle et al.			
	3,790,033	Feb. 5, 1974	Ciaffone			
	3,804,537	Apr. 16, 1974	Pass			
	3,823,851	Jul. 16, 1974	Waters			
	3,843,022	Oct. 22, 1974	Radcliffe et al.			
	3,846,614	Nov. 5, 1974	Doyle et al.			
	3,891,827	Jun. 24, 1975	Wyse			

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

CUSTOMER NO.: 27623

Sheet 3 of 7

FORM PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional)	Application Number
	884.0221USU	10/811,322
	Applicant	
	Carlucci et al.	
	Filing Date	Group Art Unit
	March 26, 2004	3754

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	3,896,973	Jul. 29, 1975	Morgan			
	3,914,576	Oct. 21, 1975	Ciaffone			
	3,917,121	Nov. 4, 1975	Ciaffone			
	3,933,276	Jan. 20, 1976	Packham et al.			
	3,990,612	Nov. 9, 1976	Gasser			
	3,997,083	Dec. 14, 1976	McNair			
	4,000,834	Jan. 4, 1977	Whiley			
	4,024,987	May 24, 1977	Myles			
	4,027,786	Jun. 7, 1977	Ryckman, Jr.			
	4,046,289	Sept. 6, 1977	Teranishi			
	4,056,707	Nov. 1, 1977	Farnam			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

CUSTOMER NO.: 27623

Sheet 4 of 7

FORM PTO-1449

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number (Optional)

884.0221USU

Application Number

10/811,322

Applicant

Carlucci et al.

Filing Date

March 26, 2004

Group Art Unit

3754

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,067,480	Jan. 10, 1978	Gasser			
	4,069,949	Jan. 24, 1978	Ryckman, Jr.			
	4,094,446	Jun. 13, 1978	Brutsman			
	4,140,247	Feb. 20, 1979	Rice			
	4,349,131	Sept. 14, 1982	Arabian			
	4,544,085	Oct. 1, 1985	Frazer			
	4,595,131	Jun. 17, 1986	Ruskin et al.			
	4,624,395	Nov. 25, 1986	Baron et al.			
	4,968,166	Nov. 6, 1990	Ingram			
	4,971,229	Nov. 20, 1990	Heimlich			
	4,974,319	Dec. 4, 1990	Maguire, Jr. et al.			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

CUSTOMER NO.: 27623

Sheet 5 of 7

FORM PTO-1449

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number (Optional)

884.0221USU

Application Number

10/811,322

Applicant

Carlucci et al.

Filing Date

March 26, 2004

Group Art Unit

3754

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,289,951	Mar. 1, 1994	Burrows			
	5,513,771	May 7, 1996	Cote			
	5,524,792	Jun. 11, 1996	Wakabayashi et al.			
	5,320,250	Jun. 14, 1994	La et al.			
	5,590,582	Jan. 7, 1997	Weiss			
	5,700,991	Dec. 23, 1997	Osbern			
	5,747,102	May 5, 1998	Smith et al.			
	5,780,819	Jul. 14, 1998	Fabrikant et al.			
	5,786,573	Jul. 28, 1998	Fabrikant et al.			
	5,803,317	Sept. 8, 1998	Wheeler			
	5,811,766	Sept. 22, 1998	Fabrikant et al.			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

Sheet 6 of 7.

FORM PTO-1449

INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Docket Number (Optional)

884.0221USU

Application Number

10/811,322

Applicant

Carlucci et al.

Filing Date

March 26, 2004

Group Art Unit

3754

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,832,178	Nov. 3, 1998	Schave			
	5,913,455	Jun. 22, 1999	La et al.			
.	5,950,867	Sept. 14, 1999	Martindale et al.			
	5,979,796	Nov. 9, 1999	Ponziani et al.			
	6,003,733	Dec. 21, 1999	Wheeler			
	6,016,935	Jan. 25, 2000	Huegerich et al.			
	6,056,160	May 2, 2000	Carlucci et al.			
	6,098,524	Aug. 8, 2000	Reese			
	6,179,162	Jan. 30, 2001	Motsenbocker			
	6,204,485	Mar. 20, 2001	Williams			
	6,253,957	Jul. 3, 2001	Messerly et al.			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

CUSTOMER NO.: 27623

Sheet 7 of 7.

FORM PTO-1449

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number (Optional)

884.0221USU

Application Number

10/811,322

Applicant

Carlucci et al.

Filing Date

March 26, 2004

Group Art Unit

3754

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,311,868	Nov. 6, 2001	Krietemeier et al.			
	6,361,752	Mar. 26, 2002	Demarest et al.			
	6,415,957	Jul. 9, 2002	Michaels et al.			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.